



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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REGIONAL OFFICE DIVISION
NASSAU REGIONAL OFFICE

May 1, 2023

The Honorable Joan M. Azrack
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

**Re: *Sampson v. Stony Brook University, et al.*,
No. 2:22-cv-04490 (E.D.N.Y.) (JMA) (AYS)**

Dear Judge Azrack:

This Office represents Defendants, State University of New York (“SUNY”)¹ and Maurie McInnis, in the above-referenced matter. I write in accordance with the Court’s text order dated February 1, 2023, directing the parties to file a status report within three days of the earlier of: (1) the Second Circuit’s decision in *Sampson v. National Board of Medical Examiners*, No. Civ. 23-3; or (2) May 1, 2023.

As the Court is aware, the Second Circuit issued a Summary Order this morning vacating the Court’s order granting a preliminary injunction in *Sampson v. National Board of Medical Examiners*, No. Civ. 23-3 (2d Cir.), with a suggestion that the Court consider the question of irreparable harm in light of Mr. Sampson’s potential termination from medical school based on the seven-year rule.

Mr. Sampson is registered to take the Step 1 exam on May 15, 2023.

As they previously have been willing to do, given the unique circumstances presented, Defendants are willing to maintain the status quo and keep Mr. Sampson enrolled as a student pending the results of Mr. Sampson’s May 15, 2023, Step 1 exam, should he proceed with the exam.

Mr. Sampson requests an immediate status conference in light of the time sensitive nature of this matter, and Defendants consent to this request.

¹Named defendant Stony Brook University is a subdivision of SUNY and is not a legally cognizable entity separate from SUNY. See N.Y. Educ. Law §§ 351, 352.

On behalf of all parties, thank you for your attention to this matter.

Respectfully submitted,

s/ *Helena Lynch*
Helena Lynch
Assistant Attorney General, *of Counsel*

cc: Counsel of Record (via ECF)